

8-17-10
8 AM
EX-3APPLICATION FOR NEW/RENEWAL OF A FIREARMS IDENTIFICATION CARD (FID) OR
LICENSE TO CARRY FIREARMS OR LICENSE TO POSSESS A MACHINE GUN

***** POLICE DEPARTMENT USE ONLY *****
 IT IS THE RESPONSIBILITY OF THE LICENSING AUTHORITY TO ENSURE THE IDENTITY OF THE NEW/RENEWAL APPLICANT IS TRUE AND ACCURATE, AND IN THE CASE OF A RENEWAL, THAT THE APPLICANT IS LINKED TO THE ORIGINAL TRACKING NUMBER.

IF RENEWAL ORIGINAL TRACKING NUMBER¹F _____
City/Town _____ 9 Digit License Number _____

NEW LTC OR FID NUMBER

City/Town _____ 9 Digit License Number _____

¹ THE ORIGINAL TRACKING NUMBER IS OBTAINED FROM THE FIRST ISSUED LTC/FID ISSUED UNDER THE GUN CONTROL ACT OF 1998, WHICH WENT INTO EFFECT ON OCTOBER 21, 1998.

***** PLEASE COMPLETE THIS APPLICATION FORM AND TAKE IT TO YOUR LOCAL LICENSING AUTHORITY. (LOCAL POLICE DEPARTMENT). DO NOT MAIL TO THE FIREARMS RECORD BUREAU.

PLEASE CHECK ONE:

NEW APPLICANT
 RENEWAL - MOST RECENT LICENSE TO CARRY/FID CARD NUMBER _____
 ISSUED FROM WHICH CITY/TOWN? _____, MA EXPIRATION DATE _____

CHECK THE TYPE OF LICENSE YOU ARE APPLYING FOR:

FIREARMS IDENTIFICATION CARD RESTRICTED (MACE/PEPPER SPRAY)
 FIREARMS IDENTIFICATION CARD
 CLASS B LICENSE TO CARRY FIREARMS NON-LARGE CAPACITY
 CLASS A LICENSE TO CARRY FIREARMS LARGE CAPACITY
 LICENSE TO POSSESS A MACHINEGUN

 CHECK IF CLASS A CLUB LICENSE *

* NOTE: ONLY THE COLONEL OF THE MASSACHUSETTS STATE POLICE CAN ISSUE A CLUB LICENSE.

1. TWO PHOTOGRAPHS ARE REQUIRED FOR LICENSING. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT YOUR LOCAL POLICE DEPARTMENT.
2. IF APPLICATION IS FOR FIRST FID OR LTC, A COPY OF THE FIREARMS SAFETY CERTIFICATE OR HUNTER SAFETY COURSE CERTIFICATE MUST BE ATTACHED TO THIS APPLICATION.
3. IF ISSUED FOR EMPLOYMENT PURPOSES A LETTER FROM EMPLOYER ON COMPANY LETTERHEAD REQUESTING ISSUANCE AND REASON MUST ACCOMPANY THIS APPLICATION.

(EXCEPT FOR SIGNATURE, PRINT OR TYPE ALL REQUESTED INFORMATION)

CITY/TOWN OF: Worcester, MA

LAST NAME / Pineiro FIRST NAME / Hector MIDDLE NAME / Eugenio

RESIDENTIAL ADDRESS (Include Number, Street, City/Town, Zip Code) _____, Worcester, Worcester County, Mass. (508) _____

TELEPHONE NUMBER _____

IF CLUB LICENSE ADDRESS OF CLUB (Include Number, Street, City/Town, Zip Code) _____ () _____ TELEPHONE NUMBER _____

DATE OF BIRTH / Rio Piedras, Puerto Rico PLACE OF BIRTH / Isabel Rosado Marcial MOTHER'S MAIDEN NAME / Hector E. Pineiro Milan FATHER'S FULL NAME _____

HEIGHT / 5' FT 9" IN WEIGHT / 185 lbs BUILD / medium COMPLEXION / black HAIR COLOR / dark EYE COLOR _____

OCCUPATION / Attorney at Law S. S. NUMBER (Optional) / _____ DRIVER'S LICENSE NUMBER _____

EMPLOYED BY (SEE #3 ABOVE) / Self employed since 1994 ADDRESS / 807 Main Street, Worcester, MA 01610 TELEPHONE NUMBER / (508) 770-0600

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WARNING ANY PERSON WHO KNOWINGLY FILES AN APPLICATION CONTAINING FALSE INFORMATION SHALL BE PUNISHED BY A FINE OF NOT LESS THAN \$500 NOR MORE THAN \$1,000 OR BY IMPRISONMENT FOR NOT LESS THAN 6 MONTHS NOR MORE THAN 2 YEARS IN A HOUSE OF CORRECTION, OR BY BOTH SUCH FINE AND IMPRISONMENT (M.G.L. c.140, § 131).

PLEASE ANSWER THE FOLLOWING QUESTIONS COMPLETELY AND ACCURATELY:
SPACE FOR EXPLANATION AND DETAILS ARE PROVIDED ON PAGE 3.

1. ARE YOU A CITIZEN OF THE UNITED STATES? Yes _____
IF NATURALIZED GIVE DATE, PLACE AND NATURALIZATION NUMBER: _____
2. HAVE YOU EVER USED OR BEEN KNOWN BY ANOTHER NAME? Hector E. Pheiro Rosado. IF YES PROVIDE NAME AND EXPLAIN: In Puerto Rico one is required to use in addition to your last name, your mother's maiden name in official documents (e.g. birth certificate, bar admission).
3. WHAT IS YOUR AGE?* 50 y/o *YOU MUST BE 21 YEARS OF AGE TO APPLY FOR A LICENSE TO CARRY FIREARMS, 18 YEARS OF AGE* TO APPLY FOR A FIREARMS IDENTIFICATION CARD. * 15 YEARS OF AGE BUT LESS THAN 18 YEARS OF AGE WITH SUBMISSION OF A CERTIFICATE FROM PARENT OR GUARDIAN GRANTING PERMISSION TO APPLY FOR A FIREARMS IDENTIFICATION CARD.
4. HAVE YOU EVER BEEN CONVICTED OF A FELONY? never
5. HAVE YOU EVER BEEN CONVICTED OF THE UNLAWFUL USE, POSSESSION, OR SALE OF NARCOTIC OR HARMFUL DRUGS AS DEFINED IN M.G.L. c. 94C, § 1? never
6. HAVE YOU EVER BEEN CONVICTED OF A CRIME PUNISHABLE BY INCARCERATION BY MORE THAN (1) ONE YEAR? no
7. IN ANY STATE OR FEDERAL JURISDICTION HAVE YOU EVER BEEN CONVICTED AS AN ADULT OR ADJUDICATED A YOUTHFUL OFFENDER OR DELINQUENT CHILD FOR THE COMMISSION OF (a) A FELONY; (b) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR MORE THAN 2 YEARS; (c) A VIOLENT CRIME AS DEFINED IN M.G.L. c. 140, § 121; (d) A VIOLATION OF ANY LAW REGULATING THE USE, POSSESSION, OWNERSHIP, SALE, TRANSFER, RENTAL, RECEIPT OR TRANSPORTATION OF WEAPONS OR AMMUNITION FOR WHICH A TERM OF IMPRISONMENT MAY BE IMPOSED; OR (e) A VIOLATION OF ANY LAW REGULATING THE USE, POSSESSION OR SALE OF CONTROLLED SUBSTANCES AS DEFINED IN M.G.L. c. 94, § 1? no
8. HAVE YOU EVER BEEN CONFINED TO ANY HOSPITAL OR INSTITUTION FOR MENTAL ILLNESS? no
9. ARE YOU OR HAVE YOU EVER BEEN UNDER TREATMENT FOR OR CONFINEMENT FOR DRUG ADDICTION OR HABITUAL DRUNKENNESS? no
10. HAVE YOU EVER APPEARED IN ANY COURT AS A DEFENDANT FOR ANY CRIMINAL OFFENSE (EXCLUDING NON-CRIMINAL TRAFFIC OFFENSES)? no
11. ARE YOU NOW UNDER ANY CHARGE(S) FOR ANY OFFENSE(S) AGAINST THE LAW? no
12. ARE YOU NOW OR HAVE YOU EVER BEEN THE SUBJECT OF A M.G.L. c. 209A RESTRAINING ORDER OR INVOLVED IN A DOMESTIC VIOLENCE CHARGE? no
13. HAS ANY LICENSE TO CARRY FIREARMS, PERMIT TO POSSESS FIREARMS, OR FIREARMS IDENTIFICATION CARD ISSUED TO YOU UNDER THE LAWS OF ANY STATE, TERRITORY OR JURISDICTION EVER BEEN SUSPENDED, REVOKED OR DENIED? no
14. ARE YOU CURRENTLY THE SUBJECT OF ANY OUTSTANDING ARREST WARRANT IN ANY STATE OR FEDERAL JURISDICTION? no

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NAME Hector E. Pineiro

DOB: 03-17-1980

IF YOU ANSWERED "YES" TO ANY OF THE QUESTIONS FOUR THROUGH FOURTEEN, GIVE DETAILS WHICH MUST INCLUDE DATES, CIRCUMSTANCES AND LOCATION:

N/a

(IF NECESSARY USE SEPARATE SHEET OF PAPER TO COMPLETE)

OTHER THAN MASSACHUSETTS, WHAT OTHER STATE, TERRITORY OR JURISDICTION HAVE YOU RESIDED IN?

I grew up in San Juan, Puerto Rico until 1978, then I moved to the United States. Between 1973-1974 I went to school and resided in Mexico City while I attended 8th grade.

HAVE YOU EVER HELD A LICENSE TO CARRY IN ANY OTHER STATE, TERRITORY OR JURISDICTION? No.
IF "YES", WHEN, WHERE AND LICENSE NUMBER:

LIST NAME AND ADDRESSES OF TWO REFERENCES (NOT REQUIRED IF APPLYING FOR A FIREARMS IDENTIFICATION CARD):

1. Jeffrey Rosario Turco, Esquire Former Deputy Superintendent of the Worcester County House of Corrections. jturco@sdw.state.ma.us

He is general counsel to the Sheriff of Worcester County. His business address is 5 Paul Tivnan Drive, West Boylston, MA. He can be reached at (508) 854-1802 (work) or cell: 508 450-8843.

2. Tommaso DiGioia. 405 Shrewsbury Street Worcester, MA 01604 Tel. (508) 753-2457 work #.

REASON (S) FOR REQUESTING THE ISSUANCE OF CARD OR LICENSE:

I had a home invasion at my home on 5/5/2010 (two armed suspects). Secondly, the type of work I do (civil/criminal law), the hours when I leave my office (many times in excess of 9 p.m.), and the high crime area where I work. I have "good reason to fear injury to [my] person or property" MGL c. 140 Section 131(d). In support of this application I cite McDonald v. City of Chicago (U.S. Supreme Court June 28, 2010).

Continued on the reverse side (page 4)

CHANGE OF ADDRESS NOTIFICATION REQUIREMENTS:
MASSACHUSETTS GENERAL LAW REQUIRES THAT:

ANY LICENSEE SHALL NOTIFY, IN WRITING, THE LICENSING AUTHORITY WHO ISSUED SAID LICENSE, THE CHIEF OF POLICE INTO WHOSE JURISDICTION THE LICENSEE MOVES AND THE EXECUTIVE DIRECTOR OF THE CRIMINAL HISTORY SYSTEMS BOARD OF ANY CHANGE OF ADDRESS. SUCH NOTIFICATION SHALL BE MADE BY CERTIFIED MAIL WITHIN 30 DAYS OF ITS OCCURRENCE. FAILURE TO SO NOTIFY SHALL BE CAUSE FOR REVOCATION OR SUSPENSION OF SAID LICENSE (M.G.L. c.140, § 131 (1)).

A CARDHOLDER SHALL NOTIFY, IN WRITING, THE LICENSING AUTHORITY THAT ISSUED SUCH CARD, THE CHIEF OF POLICE INTO WHOSE JURISDICTION SUCH CARDHOLDER MOVES AND THE EXECUTIVE DIRECTOR OF THE CRIMINAL HISTORY SYSTEMS BOARD OF ANY CHANGE OF ADDRESS. SUCH NOTIFICATION SHALL BE MADE BY CERTIFIED MAIL WITHIN 30 DAYS OF ITS OCCURRENCE. FAILURE TO SO NOTIFY SHALL BE CAUSE FOR REVOCATION OR SUSPENSION OF SUCH CARD (M.G.L. c.140, § 129B (1)).

I DECLARE THE ABOVE FACTS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND I UNDERSTAND THAT ANY FALSE ANSWER(S) WILL BE JUST CAUSE FOR DENIAL OR REVOCATION OF MY LICENSE TO CARRY FIREARMS AND MAY BE USED IN A CRIMINAL PROCEEDING PURSUANT TO M.G.L. c. 140, §§ 129 AND 131.

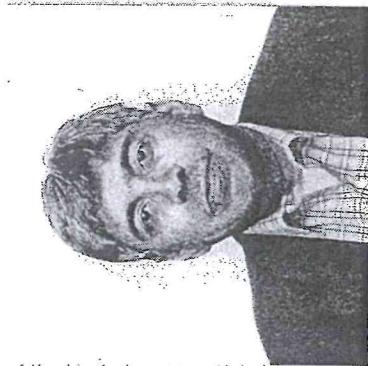
SIGNED UNDER THE PENALTIES OF PERJURY THIS 28 DAY OF June, 2010
(DAY) (MONTH) (YEAR)

SIGNATURE OF APPLICANT *Dirt E. Penneau*

APPLICANT: BRING TO YOUR LOCAL LICENSING AUTHORITY (POLICE DEPARTMENT). DO NOT MAIL THE FIREARMS RECORD BUREAU.

LICENSING AUTHORITY (LOCAL POLICE DEPARTMENT):

PLEASE RETAIN ONE COPY FOR YOUR FILES, FORWARD ONE COPY TO THE FIREARMS RECORD BUREAU WITH THE COMPLETED LTC/FID OR MG LICENSE FOR DATA ENTRY AND ONE COPY TO THE MASS STATE POLICE WITH THE APPLICANT'S FINGERPRINT CARD (FINGERPRINT CARD REQUIRED FOR NEW APPLICANT, ONLY) FOR APPROPRIATE FINGERPRINT SUPPORTED CRIMINAL RECORD CHECK.



Law Office of Jeffrey Rosario Turco
Jeffrey Rosario Turco, Esquire*
61 Court Road
Winthrop, Massachusetts 02152

(o) (781) 248-5170
(f) (617) 539-9982
JRTURCO@aol.com

May 25, 2010

* Also admitted in CT

Chief Gary J. Gemme
Worcester Police Department
City of Worcester
9-11 Lincoln Square
Worcester, Massachusetts 01608

Dear Chief Gemme:

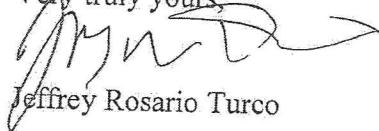
Please accept this letter of reference in support of the application of Attorney Hector Pineiro to obtain a License to Carry Firearms pursuant o M.G.L. c.140, s.131.

I first came to know Attorney Pineiro in, or around January 2005, in my previous capacity as the Special Sheriff/Deputy Superintendent at the Worcester County Sheriff's Office. In this capacity I oversaw the day to day operations of the Sheriff's Office. Over the past couple of years, my role transitioned to handling more of the day to day legal work and my interaction with Hector grew. Consequently, Hector and I had frequent contact. Though our respective positions required us to be at loggers head on most issues, I came to admire both his tenaciousness and his thoughtfulness.

As an attorney, Hector is a fierce advocate and a worthy adversary. Most importantly, as a friend, I can attest that he is level headed, compassionate and responsible. He cares deeply about the things that matter: integrity, honesty, family and friends.

I recognize that with the right to carry a firearm comes an awesome responsibility. Hector Pineiro understands this responsibility and will most assuredly not falter from carrying it out. Without reservation, I offer my support of Hector's application for a License to Carry Firearms.

Very truly yours,



Jeffrey Rosario Turco

Scanned

*Worcester Foreign Motors Inc.
405 Shrewsbury Street
Worcester, Massachusetts 01604*

June 3, 2010

*Chief Gary J. Gemme
Worcester Police Department
City of Worcester
9-11 Lincoln Square
Worcester, Massachusetts 010608*

Dear Chief Gemme:

This is a letter of recommendation for Hector Pineiro to obtain a license to carry firearms. I have known Hector Pineiro since he moved to my neighborhood ten years ago. I have come to know him as an intelligent, responsible and honest man who cares greatly for his friends, neighbors and family.

The right to carry a firearm is a big responsibility. I believe Mr. Pineiro understands that responsibility and will always adhere to all of the rules and regulations required for a license to carry a firearm, therefore I Support Hector Pineiro's application to carry a firearm.

Very truly yours,

Tommaso Di Gioia

